

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

24956 7590 01/10/2007

MATTINGLY, STANGER, MALUR & BRUNDRIDGE, P.C.
 1800 DIAGONAL ROAD
 SUITE 370
 ALEXANDRIA, VA 22314



Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10769,784	02/03/2004	Ikuo Uratani	1309.43471X00	9292

TITLE OF INVENTION: DISK ARRAY APPARATUS, AND METHOD FOR AVOIDING DATA CORRUPTION BY SIMULTANEOUS ACCESS BY LOCAL AND REMOTE HOST DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1,400	\$0	\$1,400	\$1,400	04/10/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
PATEL, HETUL B	2186	711-114000

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Mattingly, Stanger, Malur
 & Brundridge, P.C.

2. _____
 3. _____

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

HITACHI, LTD.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Tokyo, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☒ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 50-1417 (enclose an extra copy of this form).

Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date March 5, 2007


Typed or printed name Carl I. Brundridge

Registration No. 29,621

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ikuo URATANI, et al
Serial No.: 10/769,784
Filed: February 3, 2004
For: DISK ARRAY APPARATUS, AND METHOD FOR AVOIDING
DATA CORRUPTION BY SIMULTANEOUS ACCESS BY
LOCAL
AND REMOTE HOST DEVICE
Group: 2116
Examiner: A. ELAMIN

REQUEST FOR APPLICATION OF PREVIOUSLY PAID ISSUE FEE

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
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March 5, 2007

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Applicants submit that the above-referenced application was originally allowed by a Notice of Allowance dated October 17, 2006, for which the Issue Fee was paid on December 5, 2006.

However, in accordance with 37 CFR §1.313(c)(2), Applicants filed a Petition to Withdraw the above-referenced application from issue in favor of a Request for Continued Examination (RCE) so as to permit consideration of an Information Disclosure Statement filed on December 27, 2006.

The Examiner upon examining the application based on the December 27, 2006 RCE and Information Disclosure Statement again allowed the application by the January 10, 2007 Notice of Allowance for which the Issue Fee is due on April 10, 2007.

Upon granting the Petition to Withdraw from Issue dated December 27, 2006, the Office of Petitions indicated that if the application is again allowed

the Issue Fee paid on December 5, 2006 can be applied towards the Issue Fee of the new Notice of Allowance.

Accordingly, Applicants hereby respectfully request that the Issue Fee paid on December 5, 2006 in the amount of \$1,700.00 for the above-referenced application be applied toward the Issue Fee with respect to the new Notice of Allowance dated January 10, 2007 being paid on even date herewith. Attached herewith is a copy of the December 28, 2006 Decision granting the Petition filed on December 27, 2006.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (1309.43471X00) please credit any excess fees to such deposit account.

Respectfully submitted,



CIB/jdc
(703) 684-1120

Carl I. Brundidge
Registration No. 29,621
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C

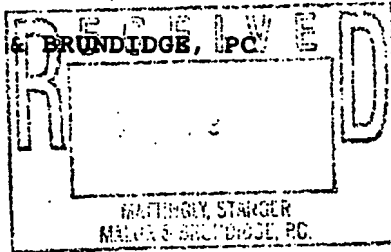


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MATTINGLY, STANGER & BRUNDIDGE, PC
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SUITE 370
ALEXANDRIA, VA 22314



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DEC 28 2006

OFFICE OF PETITIONS

In re Application of
Ikuo Uratani et al
Application No. 10/769,784
Filed: February 3, 2004
Attorney Docket No. 1309.43471X00

:
:
: DECISION GRANTING PETITION
: UNDER 37 CFR 1.313(c)(2)
:

This is a decision on the petition, filed December 27, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 5, 2006 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 2186 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions

C:\Documents and Settings\FHicks\My Documents\470\Dec10\769784.wpd

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B - Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment.

Transaction List

Search by

☐ Accounting Date:

(MMDDYY)

Operator ID:

Accounting Date

☒ Name/Number:

10769784

Starts: Ends: ☐ Attny Docket No: ☐ Deposit Account No:

Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Accl
12/28/2006	AKELLEY	14	SALE	1801	A	790.00	10769784	
12/28/2006	AKELLEY	13	SALE	1464	A	130.00	10769784	
12/06/2006	MAHMED2	243	SALE	1504	A	300.00	10769784	
12/06/2006	MAHMED2	242	SALE	1501	A	1,400.00	10769784	
05/26/2006	SZEWDIE1	118	SALE	1801	A	790.00	10769784	
04/25/2005	HALI11	53	SALE	1464	A	130.00	10769784	
05/12/2004	SDEN8081	144	SALE	8021	A	40.00	10769784	
05/12/2004	SDEN8081	143	SALE	1051	A	130.00	10769784	
02/06/2004	WABRHAM1	86	SALE	1201	A	430.00	10769784	
02/06/2004	WABRHAM1	85	SALE	1001	A	770.00	10769784	



Adjustment Detail

Authorization Detail



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